

## COMMUNICATIONS

- A) *Planning & Zoning News for May and June 2021*
- B) *Road Commission Reports Second Quarter 2021*
- C) *Letter from M. Hill received June 15, 2021 re: R. Youngblood & Co.*

## PUBLIC COMMENT

*Chairperson Brnabic opened Public Comment for items not on the agenda at 7:03 p.m. Seeing no one wishing to speak and no email communications received, she closed Public Comment.*

## NEW BUSINESS

### 2021-0221

Public Hearing and request for Conditional Use Recommendation - City File No. 21-002 - R. Youngblood & Co. to operate a landscape plant material nursery on 24 acres at 930 Mead Rd., located on the south side of Mead, east of Sheldon, zoned RE Residential Estate, Parcel No. 15-02-200-016, Ryan Youngblood, Applicant

*(Staff Report dated April 29, 2021, site plans and elevations had been placed on file and by reference became part of the record thereof).*

*Present for the discussion was Ryan Youngblood, 512 Madison Ave., Rochester, MI 48307.*

*Ms. Kapelanski stated that in the subject case, the applicant was proposing to occupy a 24-acre site at 930 Mead Rd. for use as a landscape materials nursery and landscape design business. She noted that the parcel was zoned RE Residential Estate, and that nurseries were a conditional use in the RE district. The applicant was requesting a conditional use recommendation, tree removal permit and site plan approval. The proposed use included nursery plantings, the storage of landscape materials and a parking area. There was a hoop house shown for storage, and a building for future development. The building would need to come back for site plan approval if the applicant moved forward with it. She related that there were some wetlands on the property, but they were a distance away from any of the planned work, so no wetland permit was required. Replacement credits for the tree removal had been shown onsite. There would be \$10,000 placed into an escrow fund in lieu of the required pathway along Mead Rd. If there was ever a pathway developed along Mead, the City would have the funds to complete the*

portion in front of the applicant's property. The applicant had reached out to surrounding property owners and the public. She indicated that all of the comments were minor in nature, and all reviews had recommended approval. She said that she was happy to answer any questions, and that Mr. Boughton from Engineering was present as well. Staff had received two videos from the applicant describing the project and his business.

Mr. Gaber recused himself from the discussion, because Mr. Youngblood was a client. Ms. Kapelanski then showed the videos.

Mr. Youngblood thanked everyone for their time. He felt that the videos portrayed what they wanted to get across about the company. He wanted to communicate in a clear and precise way the proposed use for 930 Mead Rd., and he hoped that the videos did that. He wanted to make sure that the videos conveyed their excitement to invest in 24 acres in Rochester Hills and preserve it. He felt that it would be a great asset to the community and to the surrounding neighbors. Most importantly, he wanted to make sure that he communicated that they wanted to make a strong commitment to partner in a respectful way with Rochester Hills and with each and every landowner that was adjacent to the property. He stated that they were a very niche company with a strong focus. They were not a mass production company, and they did not have huge growth plans in place. He claimed that they were actually overbuying, size wise, and 24 acres was way more than they needed, but they wanted to partner respectfully.

Mr. Kaltsounis said that he had been on the Commission for over 18 years, and it was the first time they saw a video that explained everything. He thought that they were nice videos, especially the first one that discussed the intentions. However, he noticed that some of the intentions in the video and what was in the plan did not match. There was a part of the video that talked about screening along the southern border adjacent to the houses, but he did not know if that was in the plan. He asked Ms. Kapelanski to show the plan. Ms. Kapelanski explained that there were a lot of existing trees, and there was additional screening shown by the existing building and by evergreens on the southwest border. Mr. Youngblood advised that it was the largest open space area, so they proposed more trees, which would screen 12 months out of the year.

Mr. Kaltsounis asked if they would not be removing any trees besides the invasive species. Mr. Youngblood said that bulk bin storage was proposed, and a handful of trees would come out for that. They were all less desirable trees. He assured that every desirable tree on the property

would not be touched. The trees coming out were Box Elders, which were not desirable, but the specimen trees were all being maintained.

Mr. Kaltsounis asked how many trucks would go in and out and stay overnight. Mr. Youngblood said that their fleet totaled between seven and eight, with small trucks and trailers. Mr. Kaltsounis asked if they were 24-foot trailers, which was confirmed. Mr. Kaltsounis asked if there were plans for more trucks than that. Mr. Youngblood reiterated that there was not a huge growth plan in place, because they were a very niche company. The intention was to grow stock. A lot of their current growers did not bring in material that their clients wanted. The project gave them the opportunity to add a different aspect to their company, where they could have control over what they grew. Mr. Kaltsounis asked where they intended to do that on the property. Mr. Youngblood noted that the property had been developed in 2012 and then abandoned. In those areas, a lot of Russian Olive, an invasive species shrub four to six feet tall had grown, and they would pull all of those out and turn them into agriculture fields for growing stock. Mr. Kaltsounis asked if they could expect that anywhere on the property something could be grown, and Mr. Youngblood said that was correct. Mr. Youngblood added that they would work with the existing vegetation.

Mr. Kaltsounis asked how many employees they expected to be there during the day. Mr. Youngblood thought between 15-25. He had a design office in Rochester, which they planned to keep, but Mead would be for operation and growing. Mr. Kaltsounis asked if their offices would be in the former retreat center, and Mr. Youngblood agreed that there would be a production office there. Mr. Kaltsounis asked how many cars would come on a daily basis, and Mr. Youngblood said between 15 and 25. Mr. Kaltsounis asked if there were plans for a greenhouse in the future. Mr. Youngblood pointed out that they were proposed on the plan. They did not grow in the greenhouses, but they would hold plant material for upcoming jobs. The greenhouses, called hoop or shade houses, were to keep plants less stressed waiting to go to a job. Mr. Kaltsounis said that he asked, because he did not see what they would look like. He asked if there would be foundations or just pieces of plastic. Mr. Youngblood said that he went back and forth with the Building Dept. until they realized what was being proposed. There would be no foundations - they were completely temporary. They went onto a gravel base, and they could be put up and taken down in four hours.

Mr. Weaver asked if they would be storing mulch and gravel. Mr. Youngblood agreed that they would. In the center of the property, a

concrete pad was shown with bin blocks. That was where they would be loading and unloading. The bins would hold mulch, top soil and gravel. Mr. Weaver said that he asked, because they got a letter of concern that there might be added smells, and he knew that mulch was not the most precious smelling thing when it was first delivered. He clarified that it would not be a commercial business from the sense that people could go there and buy stock. Mr. Youngblood stated that was correct. It would 100% be non-retail and for their own project use. Mr. Weaver said that there had been another concern that it might cause added traffic up and down Mead. He asked if horticultural staff would be added to grow or if they would just maintain stock. Mr. Youngblood said that staff would be added. Once they were up and running with growing, there would be one or two people to maintain the project. He saw that happening in two to four years. It would require oversight. Mr. Weaver asked how much plant material they were thinking about. He agreed that Russian Olive was horrible. If that was all cleared, he asked how much room it would leave to hold stock. Mr. Youngblood said that it was shown on the landscape sheet, but their goal was to use 50% of the property for growing. Mr. Weaver agreed that the site was beautiful, and that it was a good use for it.

Regarding the smell, Mr. Youngblood said that the number one concern for his business was the smell of mulch. Everyone loved it, but they did not like the smell. He explained that the predominant wind was from the southwest, and their goal was to locate it away from a noise and smell standpoint. The wind would pick it up and take it across to the metro park.

Ms. Neubauer said that one of the issues brought to their attention was the hours the machines would be running, and she asked what hours those would be. Mr. Youngblood said that their company started at 7:00 a.m., and a machine would start then. Their goal was to come back by 6:30 p.m., unload and leave. He wanted to be clear that they were in the growing and agriculture business. Their number one driver was the weather. They had a business model in place to control the budgets and costs, and they wanted to reduce overtime as much as possible. In a perfect world, their hours would be from 7:00 a.m. to 6:00 p.m. If their crews were on a job and rain came through, they did need some flexibility. They operated Monday through Friday. A key benefit for neighboring properties and the community was that they were strictly a residential firm. Their clients did not want them there past 6:00 p.m. or on the weekends. Ms. Neubauer noted mention that there were two types of non-desirable or invasive plants on the property. Mr. Youngblood said that he mainly saw Russian Olive. Ms. Neubauer clarified that it would be cleared in order to dissolve the lack of desirability but also to make room for growing. She

asked if there would be 50% of the 24 acres left for growing after the invasives were cleared out. Mr. Youngblood agreed their goal was to have 50% of the property used for agriculture growth. Ms. Neubauer asked if they had to clear out other trees besides the invasive species in order to make space. Mr. Youngblood noted that the property had tried to be developed several times. The church in 2012 was the most recent, and they did a lot of site work and removed a lot of trees. He related that whenever trees of that nature were removed, sunlight allowed Russian Olive to take over. Currently, it was in a young state, from one to three years' growth, so they could use a certain implement to take it out. They could do it without disturbing the trees. The good news was that all the trees in with the Russian Olive were Poplars, which were another non-desirable, somewhat invasive tree. All of the nice perimeter, specimen trees, such as Walnut, Oak, Sycamore, etc. were on the outskirts. Ms. Neubauer asked if the non-desirable growth covered 50%. Mr. Youngblood said plus or minus. Ms. Neubauer asked how much "ish," and if it could go up to 75%. Mr. Youngblood said that it was probably closer to 75%. The property was strongly controlled by Russian Olive, to the point where the average person would question what their overall plan was, but they had mechanisms to take care of it. Ms. Neubauer asked if he had the opportunity to review the letter from Ms. Hill, which he said he had. Ms. Neubauer asked if there was anything he would like to address with respect to choosing Rochester Hills because it was an easier solution than fighting with the people in Shelby. Mr. Youngblood responded that they were working very aggressively to purchase property in Auburn Hills. After getting full approval, they came to the realization that the property was heavily contaminated. In that process, they had to find a temporary location, which happened to be Shelby Township, which was one of their vendors. He claimed that it was never their intent to be in Shelby long-term. Their intent was always to be in an area like on Mead, because that was where most of their work was. He said that Ms. Hill had some very genuine concerns and good questions. He was delighted to report that when they first moved to Shelby Township on a temporary basis, the neighbors had strong concerns, but they then received a letter that went to the newspapers that said how he, as owner of the company, had built confidence in each of the neighbors and the City Planner. Ms. Neubauer said that she saw that, she was only asking for the sake of creating a record. She appreciated everything he had done. The article was very favorable in showing that he worked with the residents. She mentioned that one other issue Ms. Hill and some of the other residents might have was that the company was proposing to use a small percentage of the property and to preserve the trees, but she was worried about large expansion in the future. Ms.

Neubauer asked him to address that. Mr. Youngblood noted that he had been in business for 24 years. They did not have a large growth pattern or model in place. That was not his desire. He said that his desire was to maintain the status quo, which was a very small, niche, focused company. He said again that they were overbuying for the simple reason of long-term investment and to partner in a respectful way. Ms. Neubauer thanked him.

Dr. Bowyer thanked Mr. Youngblood for the presentation. It reminded her of Lucas from Insane Pools, and that he would go that route with great landscaping designs. She stated that she loved gardens and green spaces. She considered that the proposed site would be close to his office in Rochester. She noted that one of Ms. Hill's questions was about the route. Dr. Bowyer asked if they would ever be going east and onto Winkler Mill to go around, or if they would always go towards Rochester Rd. Mr. Youngblood said that they would 100% always go west to Rochester Rd. or Sheldon. He would not allow one of his trucks to go down Winkler Mill. Dr. Bowyer said that was one of the issues Ms. Hill had. If they went down Winkler Mill, there would be dust and impact to the road. Mr. Youngblood had said that there would be 15-25 employees, and she thought that most of them would leave to go to sites and not stay at the Mead property all day. He agreed. Dr. Bowyer pointed out that there would be the morning load up between 7 and 9 a.m. and then they would leave and come back about 6 or 7 p.m. In the day time, there would only be a few people there. She thanked him for getting rid of the invasives. She knew that there were Buckthorn and Phragmites in the City's green spaces. She asked if there were any Phragmites around the pond. Mr. Youngblood did not think that there was a large population, which he agreed was an extremely invasive species. Dr. Bowyer thanked him for adding privacy screening for the residents. She said that it was nice he would have low density. Even though it was zoned RE, she felt that someone would want to try to put in high-density housing.

Mr. Dettloff commented that the videos were a great way for Mr. Youngblood to introduce himself. Mr. Dettloff felt that they were extremely well done, and that Mr. Youngblood had set the bar really high. He asked what happened in the winter months, since it was a seasonal business. Mr. Youngblood said that his company did not do any snow and ice services. In the winter months, it would be extremely quiet. All of the production crews would be laid off for two-and-a-half months, and all of the management and design staff would stay at the Rochester office. Mr. Dettloff confirmed that he had been in business for 24 years, and he joked that Mr. Youngblood did not look older than 25. Mr. Dettloff felt that

*the project would be a win-win situation. He thought that it would be a great reuse of the property, and he commended Mr. Youngblood for bringing it forth. He thanked him for considering Rochester Hills for his investment.*

*Mr. Hooper asked if there would be any fuel storage on site. Mr. Youngblood said that they did use bulk tanks at their current location. They did not show them on the site plan, so he would have to come back, but he had been working with the Fire Inspector. The long-term plan would be to have those tanks, but they would have to be approved through the site plan process. Mr. Hooper reminded that they were at the site plan process. He said that usually, there was secondary storage or containment. Mr. Youngblood agreed, and he said that the plan was to come back at a later date once they knew exactly that they wanted them at the location and where they would go. Mr. Hooper asked staff about it.*

*Ms. Kapelanski noted that there was a future building shown on the plan as a potential so everyone could see how it could lay out. They had asked the applicant to add a note to the plan as part of the conditions of approval. The applicant was not prepared to provide elevations or anything at this point.*

*Chairperson Brnabic announced that two emails had been received prior to the meeting. One was from Jeff Bedient who fully supported the operation. To summarize, he said that that type of development sounded much nicer than another residential neighborhood. He believed that there would be less impact on the natural look of the community as well as less traffic burden. The other was a letter from Mr. Hill that had been mentioned. She was concerned because everything east and west was zoned RE, and she felt that there was no reason that the property could not be developed with housing. She was also concerned that the business seemed small, but the size of the parcel could allow for a greater expansion.*

*Chairperson Brnabic opened the Public Hearing at 7:42 p.m.*

**Nik Louca, 852 Mead Rd., Rochester Hills, MI 48306** *Mr. Louca said that there was not much more he could add. He was a resident on Mead Rd., and he felt that the proposal would be a very positive addition to the road. He thought that it would add quality to the Rochester Hills community. He was very much in favor of the investment by Mr. Youngblood. He thought that removal of some of the Cottonwood trees and replacement with more quality, native trees would be a good thing.*

*He was looking forward to all the plans Mr. Youngblood had.*

**Marc Trahan, 825 Mead Rd., Rochester Hills, MI 48306** *Mr. Trahan said that he lived directly across from the property. He was glad to see the disposition he sensed in the room. He thought that it was a marvelous idea. He stated that the last thing the area needed was another subdivision. All people had to do was look at the intersection of Sheldon and Mead. It was mostly impassable, especially if someone did not have an SUV. If there was another subdivision put in east of that, he was afraid that the whole section of Mead would represent that. He felt that the primary point was that what Mr. Youngblood was proposing was a marvelous contribution to the whole area, adjacent to Stoney Creek Park, and he fully supported it.*

**Lisa Wojichowski, 1689 Pinnate Ct., Rochester Hills, MI 48306** *Ms. Wojichowski said that she really did not mean to speak; she had sent an email because they had been trying to listen to the entire meeting, but they had been muted until the last few minutes. They unfortunately missed everything. She was familiar with the project, but she had not heard what had been discussed. Their main concern was noise.*

*Mr. Youngblood thanked Ms. Wojichowski for her question. He agreed that the topic had come up. He explained that all of their clients were residential, and they did not want workers at their homes after hours. The company ran Monday through Friday from 7 a.m. to 6 p.m. That was their goal, but because they were in the landscaping business, they were driven by weather. There would be some nights it might be a little later. They had procedures in place so that when the crews returned, they would be respectful of the neighbors. They were also adding screening to block the views into their operation. Ms. Wojichowski asked if they would be able to hear the beep beep of trucks reversing and the rumble of trucks if they were outside on their back patios. Mr. Youngblood advised that they had no trucks with beepers, and they had no large semi-trucks. He felt that with the production and quantity of work they did at the facility versus work at the job sites that it would be very desirable. Their typical project was very large, so a lot of their materials and/or equipment were staged at the job sites. He felt very confident that their operation, in comparison to a high density development, would be quieter. Mr. Wojichowski said that they appreciated him leaving the trees, and that they liked most of the aspects of the project. Mr. Youngblood said that he looked forward to meeting her one day.*

**Joe Hart, 1555 Traceky, Rochester Hills, MI 48306** *Mr. Hart also said*

*that the audio for Zoom was not working. He was only able to hear the last question, and he had a similar question. He noted that his property, on Tracey, abutted the area directly. He asked what they should expect in terms of the mulch smell and in terms of noise. He stated that it was fantastic that there were no trucks that would beep. He asked if they should hear them or even know that they were there and what a reasonable expectation would be.*

*Mr. Youngblood said that they had designed their bulk bin storage in the center of the property, understanding that predominate winds were out of the southwest. They would pick up any odors and push them to the metro park to the north. He felt that the only chance of odors would be from the mulch bins, which would be at delivery and last a day or two. It should not blow back into the subdivision, however. Even if the wind pattern did change, by design, they positioned the bin away from the homes. As far as noise, the company operated Monday through Friday, from 7 a.m. to 6 p.m. There would be a buffer zone for that depending on the weather. He felt that with the proposed use in comparison to a residential development at maximum density, it would be far less of an impact to the neighbors enjoying the outdoors. He reminded that a residential development had no hours, and they would have hours, but they would mostly be when people were at work.*

*Mr. Hart asked if the mulch would be stored anywhere near the gas easement. Mr. Youngblood explained that the mulch would be in the center of the property - halfway between the homes and Mead Rd. Mr. Hart asked again what they should expect in terms of noise. Mr. Youngblood said that they would hear more noise than currently, but from what they were doing to preserve the property from a visual and noise standpoint, it would be far better than anything they could expect from other developments. There would be between 15 and 25 vehicles pulling up around 6:30 to 7:00, equipment getting loaded between 7:00 and 8:00 a.m., and then they would unload around 6:30 p.m. He maintained that all of the equipment was small. They would leave the property and go to properties like Mr. Hart's during the day. Their clients did not want to hear unnecessary noise, either. They would be entering the growing business, and they were a landscape architecture and design build company, but it was for strictly very high-end residential.*

*Chairperson Brnabic closed the Public Hearing at 7:56 p.m.*

*Mr. Kaltsounis said that at their last meeting, they had a conditional use, and it was quite contentious. There was interesting debate, and the*

Commissioners had to look at the reasons to recommend a conditional use such as how the project would fit into the environment and work with the surrounding areas, etc. One of the things he had a concern about with the last one was that there were no businesses around it, plus they were building a large house that was nothing like the other properties in the area. The difference with the subject property was that it was much larger, and they did not intend to use all of it. There would be a lot more vehicle traffic than was there today, but they could debate that an RE development would have more cars. A lot of the neighbors preferred what was in front of the Commissioners. If the matter went forward, he asked if they could add a condition that "the property would be for growing and production of landscape material and not for sales traffic." Mr. Youngblood said that would be 100% okay. He had no desire to be in the retail business. Mr. Kaltsounis said that the other condition was about the hours of operation. He suggested, "General working hours would be 7:00 a.m. to 6:30 p.m., Monday through Saturday, dependent upon the weather." He asked Mr. Youngblood if he ever intended to work on a Saturday. Mr. Youngblood stated that it was a \$1.3 million investment and he reiterated that they were driven by the weather. Mr. Kaltsounis said that was why he added "dependent upon the weather." If someone came in to tend to the fields, that would be one thing. Trucks in and out were another thing, and that was his biggest concern. Mr. Youngblood said that their number one goal was to be respectful to all neighboring properties within their control. Mr. Kaltsounis asked if they might work on Saturday, and Mr. Youngblood said that there was a small potential that they could. Their business model by desire was to work the hours he mentioned, and they would strive to do that. Mr. Kaltsounis read the condition again and stressed that it would be weather-dependent, and Mr. Youngblood said that he was fair with that. Mr. Kaltsounis said that he was concerned about Sundays. He indicated that Mr. Youngblood's customers were his neighbors, and word of mouth would spread from them. He noted that bulk fuels and proper screening would not be addressed, but there would be a future discussion. Mr. Youngblood said that they wanted to get what was proposed 100% confirmed and operational and when they knew what they wanted and needed, they would come back for site plan approval. Mr. Kaltsounis recommended, if they came back, utilizing the middle of the property for future expansion. He asked if they could stay away from the southern property line. Mr. Youngblood pointed out where the future building was planned. He said that they were trying to utilize the utilities that were there without having to duplicate the requirements. Mr. Kaltsounis asked him to keep screening in mind and not propose anything that would be an eyesore. Hearing no further discussion, he moved the following:

**MOTION** by Kaltsounis, seconded by Hooper, in the matter of City File No. 21-002 (R. Youngblood & Co.), the Planning Commission **recommends** to City Council **Approval** of the **Conditional Use** to allow a landscape nursery in a residential district, based on plans dated received by the Planning Department on April 29, 2021 with the following six (6) findings and subject to the following two (2) conditions.

**Findings**

1. *The use will promote the intent and purpose of the Zoning Ordinance.*
2. *The site has been designed and is proposed to be operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the general vicinity, adjacent uses of land, and the capacity of public services and facilities affected by the use.*
3. *The proposal will have a positive impact on the community by keeping a large amount of open space, adding trees and offering employment opportunities.*
4. *The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, water and sewer, drainage ways, and refuse disposal.*
5. *The proposed development will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.*
6. *The proposal will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.*

**Conditions**

1. *The property is for growing and production of landscape material and not for sales traffic.*
2. *General working hours will be 7:00 a.m. to 6:30 p.m. Monday through Saturday, dependent upon the weather.*

*Mr. Stuzik noted that funds would be made available for pathway*

*completion. He asked if there were any conditions tied to that, and if the funds had to be used at the property. Ms. Kapelanski said that it was her understanding that the funds would be put into an escrow to be used for a pathway along the 930 Mead Rd. property should a pathway system ever develop along Mead Rd. Mr. Struzik asked if there was an expiration where the funds might be returned. Ms. Kapelanski did not believe so, which was confirmed by Mr. Boughton.*

**2021-0218**

Request for approval of a Tree Removal Permit - City File No. 21-002 - for the removal and replacement of as many as 18 trees for R. Youngblood & Co., a proposed landscape plant material nursery located at 930 Mead Rd., on the south side of Mead, east of Sheldon, zoned RE Residential Estate, Parcel No. 15-02-200-016, Ryan Youngblood, Applicant

**A motion was made by Kaltsounis, seconded by Hooper, that this matter be Granted. The motion carried by the following vote:**

**Aye** 8 - Brnabic, Dettloff, Hooper, Kaltsounis, Bowyer, Weaver, Neubauer and Struzik

**Abstain** 1 - Gaber

**2021-0219**

Request for Site Plan Approval - City File No. 21-002 - R. Youngblood & Co., a proposed landscape nursery at 930 Mead Rd., located on the south side of Mead, east of Sheldon, zoned RE Residential Estate, Parcel No. 15-02-200-016, Ryan Youngblood, Applicant

**A motion was made by Kaltsounis, seconded by Hooper, that this matter be Approved. The motion carried by the following vote:**

**Aye** 8 - Brnabic, Dettloff, Hooper, Kaltsounis, Bowyer, Weaver, Neubauer and Struzik

**Abstain** 1 - Gaber

**2021-0216**

Public Hearing and request for Conditional Use Recommendation - City File No. 21-016 - SOS Auto Services, LLC, to operate an auto repair facility at 1862 Star Batt Dr., located east of Crooks, north of M-59, Parcel No. 15-28-177-022, zoned REC-W Regional Employment Center, Stavio Nizar, Applicant

*(Staff Report dated June 9, 2021 and application documents had been placed on file and by reference became part of the record thereof).*

*Present for the applicant was Stavio Nizar, 1862 Star Batt Dr., Rochester Hills, MI 48309.*

*Mr. Nizar thanked everyone. He said that the area was already a place where there were other repair shops, naming Marshall's Auto Repair. He*